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SENATE BILL 728

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

RAYMOND L. KYSAR

AN ACT

RELATING TO JUDICIAL DISTRICTS; CREATING THE FOURTEENTH JUDICIAL DISTRICT; MODIFYING THE ELEVENTH JUDICIAL DISTRICT; PROVIDING FOR TRANSFER OF JUDGES, DISTRICT ATTORNEYS, PERSONNEL, APPROPRIATIONS, CONTRACTS AND OBLIGATIONS; MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 34-6-1 NMSA 1978 (being Laws 1941, Chapter 75, Section 1, as amended) is amended to read:

"34-6-1. JUDICIAL DISTRICTS. -- The state shall be divided into judicial districts as follows:

A. first judicial district, the counties of Santa Fe, Rio Arriba and Los Alamos;

B. second judicial district, the county of Bernalillo;

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1 C. third judicial district, the county of Dona Ana;

2 D. fourth judicial district, the counties of

3 Guadalupe, San Miguel and Mora;

4 E. fifth judicial district, the counties of Eddy,

5 Chaves and Lea;

6 F. sixth judicial district, the counties of Grant,

7 Luna and Hidalgo;

8 G. seventh judicial district, the counties of

9 Socorro, Torrance, Sierra and Catron;

10 H. eighth judicial district, the counties of Taos,

11 Colfax and Union;

12 I. ninth judicial district, the counties of Curry

13 and Roosevelt;

14 J. tenth judicial district, the counties of Quay,

15 DeBaca and Harding;

16 K. eleventh judicial district, the ~~counties of~~

17 ~~McKinley and San Juan~~ county of McKinley;

18 L. twelfth judicial district, the counties of Otero

19 and Lincoln; ~~and~~

20 M. thirteenth judicial district, the counties of

21 Cibola, Sandoval and Valencia; and

22 N. fourteenth judicial district, the county of San

23 Juan. "

24 Section 2. Section 34-6-14 NMSA 1978 (being Laws 1968,

25 Chapter 69, Section 17, as amended by Laws 1995, Chapter 178,

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1 Section 3 and also by Laws 1995, Chapter 179, Section 1) is
2 amended to read:

3 "34-6-14. JUDGES--ELEVENTH JUDICIAL DISTRICT.--There shall
4 be [~~six~~] two district judges in the eleventh judicial district.
5 [~~The judges of divisions one, three, four and six shall reside~~
6 ~~and maintain their principal offices in San Juan county. The~~
7 ~~judges of divisions two and five shall reside and maintain their~~
8 ~~principal offices in McKinley county.]"~~

9 Section 3. A new Section 34-6-16.1 NMSA 1978 is enacted to
10 read:

11 "34-6-16.1. [NEW MATERIAL] JUDGES--FOURTEENTH JUDICIAL
12 DISTRICT.--There shall be four judges in the fourteenth judicial
13 district."

14 Section 4. TEMPORARY PROVISION--TRANSFER OF JUDGES,
15 DISTRICT ATTORNEYS, PERSONNEL, APPROPRIATIONS, CONTRACTS AND
16 OBLIGATIONS.--On the effective date of the provisions of this
17 act:

18 A. judges serving in eleventh judicial district
19 divisions one, three, four and six who reside in San Juan county
20 are transferred to divisions one, two, three and four
21 respectively, of the fourteenth judicial district, together with
22 all budgets, personnel, money, funds, appropriations, accounts,
23 furniture, equipment, office supplies and other things of value
24 and all contracts, debts, liabilities or other obligations
25 attributable to those divisions;

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1 B. the district attorney serving in eleventh
2 judicial district division one, composed of San Juan county, is
3 transferred to the fourteenth judicial district and shall retain
4 all budgets, personnel, money, funds, appropriations, accounts,
5 furniture, equipment, office supplies and other things of value
6 and all contracts, debts, liabilities or other obligations
7 attributable to division one; and

8 C. the district attorney serving in eleventh
9 judicial district division two, composed of McKinley county,
10 shall become the sole district attorney for the eleventh
11 judicial district and shall retain all budgets, personnel,
12 money, funds, appropriations, accounts, furniture, equipment,
13 office supplies and other things of value and all contracts,
14 debts, liabilities or other obligations attributable to division
15 two.

16 Section 5. APPROPRIATION. -- Seventy-five thousand dollars
17 (\$75,000) is appropriated from the general fund to the
18 administrative office of the courts for expenditure in fiscal
19 year 1998 to pay for salary, benefits, office supplies,
20 materials and other costs associated with the creation of a
21 fourteenth judicial district. Any unexpended or unencumbered
22 balance remaining at the end of fiscal year 1998 shall revert to
23 the general fund.

24 Section 6. REPEAL. -- Sections 36-1-8.2 and 36-1-8.3 NMSA
25 1978 (being Laws 1981, Chapter 25, Sections 1 and 2, as amended)

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are repealed.

Section 7. EFFECTIVE DATE. -- The effective date of the provisions of this act is July 1, 1997.

1 FORTY-THIRD LEGISLATURE

2 FIRST SESSION, 1997

3
4
5
6 February 28, 1997

7
8 Mr. President:

9
10 Your FINANCE COMMITTEE, to whom has been referred

11
12 SENATE BILL 728

13
14 has had it under consideration and reports same with
15 recommendation that it DO NOT PASS, but that

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17
18 SENATE FINANCE COMMITTEE SUBSTITUTE FOR

19 SENATE BILL 728

20
21 DO PASS.

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23 Respectfully submitted,

Ben D. Altamirano, Chairman

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Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 6 For 0 Against

Yes: 6

No: None

Excused: Aragon, Carraro, Eisenstadt, McKibben, Smith

Absent: None

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SENATE FINANCE COMMITTEE SUBSTITUTE FOR
SENATE BILL 728

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

AN ACT

RELATING TO JUDICIAL DISTRICTS; CREATING THE FOURTEENTH JUDICIAL DISTRICT; MODIFYING THE ELEVENTH JUDICIAL DISTRICT; PROVIDING FOR TRANSFER OF JUDGES, DISTRICT ATTORNEYS, PERSONNEL, APPROPRIATIONS, CONTRACTS AND OBLIGATIONS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 34-6-1 NMSA 1978 (being Laws 1941, Chapter 75, Section 1, as amended) is amended to read:

"34-6-1. JUDICIAL DISTRICTS. -- Effective January 1, 2002, the state shall be divided into judicial districts as follows:

- A. first judicial district, the counties of Santa Fe, Rio Arriba and Los Alamos;
- B. second judicial district, the county of Bernalillo;
- C. third judicial district, the county of Dona Ana;
- D. fourth judicial district, the counties of

. 117501. 1

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Guadalupe, San Miguel and Mora;

E. fifth judicial district, the counties of Eddy,
Chaves and Lea;

1 F. sixth judicial district, the counties of Grant,
2 Luna and Hidalgo;

3 G. seventh judicial district, the counties of Socorro,
4 Torrance, Sierra and Catron;

5 H. eighth judicial district, the counties of Taos,
6 Colfax and Union;

7 I. ninth judicial district, the counties of Curry and
8 Roosevelt;

9 J. tenth judicial district, the counties of Quay,
10 DeBaca and Harding;

11 K. eleventh judicial district, the [counties of
12 ~~McKinley and San Juan~~] county of McKinley;

13 L. twelfth judicial district, the counties of Otero
14 and Lincoln; [~~and~~]

15 M. thirteenth judicial district, the counties of
16 Cibola, Sandoval and Valencia; and

17 N. fourteenth judicial district, the county of San
18 Juan. "

19 Section 2. Section 34-6-14 NMSA 1978 (being Laws 1968,
20 Chapter 69, Section 17, as amended by Laws 1995, Chapter 178,
21 Section 3 and also by Laws 1995, Chapter 179, Section 1) is
22 amended to read:

23 "34-6-14. JUDGES--ELEVENTH JUDICIAL DISTRICT.--Effective
24 January 1, 2002, there shall be [~~six~~] two district judges in the
25 eleventh judicial district. [~~The judges of divisions one,~~

. 117501. 1

1 ~~three, four and six shall reside and maintain their principal~~
2 ~~offices in San Juan county. The judges of divisions two and five~~
3 ~~shall reside and maintain their principal offices in McKinley~~
4 ~~county.] "~~

5 Section 3. A new Section 34-6-16.1 NMSA 1978 is enacted to
6 read:

7 "34-6-16.1. [NEW MATERIAL] JUDGES--FOURTEENTH JUDICIAL
8 DISTRICT.--Effective January 1, 2002, there shall be four judges in
9 the fourteenth judicial district."

10 Section 4. TEMPORARY PROVISION--TRANSFER OF JUDGES, DISTRICT
11 ATTORNEYS, PERSONNEL, APPROPRIATIONS, CONTRACTS AND OBLIGATIONS.--
12 Effective January 1, 2002:

13 A. judges serving in eleventh judicial district divisions
14 one, three, four and six who reside in San Juan county are
15 transferred to divisions one, two, three and four respectively, of
16 the fourteenth judicial district, together with all budgets,
17 personnel, money, funds, appropriations, accounts, furniture,
18 equipment, office supplies and other things of value and all
19 contracts, debts, liabilities or other obligations attributable to
20 those divisions;

21 B. the district attorney serving in eleventh judicial
22 district division one, composed of San Juan county, is transferred
23 to the fourteenth judicial district and shall retain all budgets,
24 personnel, money, funds, appropriations, accounts, furniture,
25 equipment, office supplies and other things of value and all

1 contracts, debts, liabilities or other obligations attributable to
2 division one; and

3 C. the district attorney serving in eleventh judicial
4 district division two, composed of McKinley county, shall become
5 the sole district attorney for the eleventh judicial district and
6 shall retain all budgets, personnel, money, funds, appropriations,
7 accounts, furniture, equipment, office supplies and other things of
8 value and all contracts, debts, liabilities or other obligations
9 attributable to division two.

10 Section 5. TEMPORARY PROVISION-- JUDICIAL ELECTIONS. --

11 A. Candidates running for the position of district
12 judge from divisions one, three, four and six of the eleventh
13 judicial district shall reside in and be elected by the qualified
14 electors of San Juan county at the general election held in 2001.

15 B. Candidates running for the position of district judge
16 from divisions two and five of the eleventh judicial district shall
17 reside in and be elected by the qualified electors of McKinley
18 county at the general election held in 2001.

19 Section 6. REPEAL. -- Effective January 1, 2002, Sections
20 36-1-8.2 and 36-1-8.3 NMSA 1978 (being Laws 1981, Chapter 25,
21 Sections 1 and 2, as amended) are repealed.

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